

PATENT

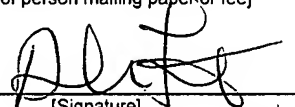
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: HERLA-2

In re Application of:)
MAX HERLA)
Filed: Simultaneously Herewith)
For: SPINDLE UNIT WITH SWITCHABLE)
GEAR, AND METHOD FOR USING)
THE SPINDLE UNIT)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail mailing label number: EV 375169666 US
Date of Deposit: April 8, 2004
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450".
ANTONELLA FUSILLO _____ (Name of person mailing paper or fee)
 _____ (Signature)

S I R:

In accordance with 37 C.F.R. 1.56, applicant wishes to call the attention of the Examiner to the following reference A) which is cited in the instant specification and references B) to C). Applicant does not admit that any of the cited documents constitutes prior art against the pending application.

	Country:	Patent or Appl. No:	Patentee or Applicant:	Issue or Filing Date:
A)	Germany	199 37 447	Hüller Hille GmbH	02-08-2001
B)	Germany	36 29 453 A1	Paul Forkardt	03-10-1988
C)	Germany	196 11 459 A1	Klement, K-D.	09-25-1997

Copies of these references are submitted herewith along with form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

☒ This Information Disclosure Statement is filed within three months of the filing date of a national application other than a continued prosecution application under 1.53(d), so that no fee under 37 C.F.R. §1.97 is due.

☐ This Information Disclosure Statement is filed within three months of the date of entry of the national stage as set forth in 1.491 in an international application, so that no fee under 37 C.F.R. §1.97 is due.

☐ This Information Disclosure Statement is filed before the mailing of a first Office Action on the merits, so that no fee under 37 C.F.R. §1.97 is due.

☐ This Information Disclosure Statement is filed before the mailing of a first Office Action after the filing of a request for continued examination under §1.114, so that no fee under 37 C.F.R. §1.97 is due.

☐ This Information Disclosure Statement is filed after the issuance of a first office but before issuance of a final action under §1.113, or a notice of allowance under §1.311.

☐ This Information Disclosure Statement is submitted after the mailing of a final action or a notice of allowance, but before payment of the issue fee.

☐ The undersigned submits the following statement requesting consideration of this statement:

The undersigned hereby states:

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ The fee of \$180.00 set forth in 1.17(p).

☐ The Commissioner is hereby authorized to charge the fee as set forth in 1.17(p), and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

In addition, applicant notes with respect to any information that is not in English language as follows:

Reference B) describes an electromechanical apparatus for producing an axial force for the actuation of a clamping device, such as a chuck that rotates with the arbor of a machining tool. The apparatus includes an electric motor that has a stator and a rotor, with the relative movement between the rotor and stator being transferable, via a gear system and a shaft drive as an axial movement, to a tie rod which is hollow. The rotor is connected with a gear wheel which meshes at least one pinion that is secured to a shaft mounted in a housing in such a way that it cannot shift axially. Disposed on the shaft is a nut that in turn is connected to the tie rod, which is axially movably mounted in the housing.

Reference C) describes a drive having a housing, a machining spindle rotatable in the housing about an axis and adapted to carry a machine tool, and a motor in the housing having a stator fixed in the housing and surrounding the spindle and a rotor which is rotatable about the axis relative to the housing and to the spindle and surrounds the spindle. A gear transmission in the housing has an input connectable to the rotor and an output connectable to the spindle for rotating the spindle about the axis. The transmission is displaceable between a low-speed position with a sun gear meshing with planet gears and a planet carrier coupled to the spindle for rotating the spindle at a rate slower than that of the rotor and a high-speed position with the sun gear out of mesh with the planet gears and directly coupled to the spindle for rotating the spindle jointly with the rotor.

The above-identified application discloses and claims an invention patentable over this prior art.

Entry of the references above set forth into the file of the above application is believed to be in order and is respectfully requested.

Respectfully submitted

By: 

Henry M. Feiereisen
Agent for Applicant
Reg. No. 31,084

Date: April 8, 2004
350 Fifth Avenue
Suite 4714
New York, N.Y. 10118
(212) 244-5500
HMF/WS:af

Form PTO-1449U.S. Department of Commerce
Patent and Trademark Office**INFORMATION DISCLOSURE CITATION****Attorney's Docket No.****HERLA-2****Applicant****MAX HERLA****Appl. No.****Filing Date****Group****Examiner****U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date, if appropriate

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation
	DE 199 37 447	02-08-2001	Germany			no
	DE 36 29 453 A1	03-10-1988	Germany			no
	DE 196 11 459 A1	09-25-1997	Germany			no

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner:**Date considered:**

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.